

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

IN RE: GOLD KING MINE RELEASE IN SAN
JUAN COUNTY, COLORADO, ON AUGUST 5,
2015

This Document Relates to No. 1:16-cv-00931

C.A. No. 1:18-md-02824-WJ

**STIPULATION OF VOLUNTARY DISMISSAL OF THE NAVAJO NATION'S CLAIMS
AGAINST ENVIRONMENTAL RESTORATION, LLC**

Plaintiff the Navajo Nation and Defendant Environmental Restoration LLC (“ER”) hereby stipulate under Federal Rule of Civil Procedure 41(a)(1)(A)(ii) that all of the Navajo Nation’s claims against ER in the above captioned action be dismissed with prejudice.

On May 31, 2023, Plaintiff the Navajo Nation and Defendant Environmental Restoration, LLC (“ER”) executed an out-of-court settlement agreement that resolved all of the Navajo Nation’s claims against ER in this litigation (the “Settlement Agreement”). Pursuant to the Settlement Agreement, the Navajo Nation agreed to voluntarily dismiss its claims against ER with prejudice within five business days of ER remitting the agreed-upon payment of \$2,500,000 to the Navajo Nation (the “Payment”). On June 6, 2023, ER made the Payment to the Navajo Nation. Accordingly, as required under the Settlement Agreement, the Navajo Nation hereby dismisses its claims against ER with prejudice.

STIPULATED TO BY:

Dated: June 6, 2023

/s/ Andrew K. Walsh

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NAVAJO NATION DEPARTMENT OF
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THE NAVAJO NATION

Dated: June 6, 2023

/s/ Peter C. Sheridan

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LLC

CERTIFICATE OF SERVICE

I hereby certify that on June 6, 2023 the foregoing document was filed via the U.S. District Court of New Mexico's CM/ECF electronic filing system and a copy thereof was served via the CM/ECF electronic transmission upon all counsel of record, as reflected by the Court's CM/ECF system.

/s/ Andrew K. Walsh